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MEMO ENDORSED

June 6, 2008

BY HAND

Honorable William H. Pauley
United States District Judge
Southern District of New York
500 Pearl Street
New York, NY 10007

Application granted.
SC ORDERED:


WILLIAM H. PAULEY III U.S.D.J.
6/10/08

Re: Ramen v. City of New York, et al., 08 CV 433 (WHP)

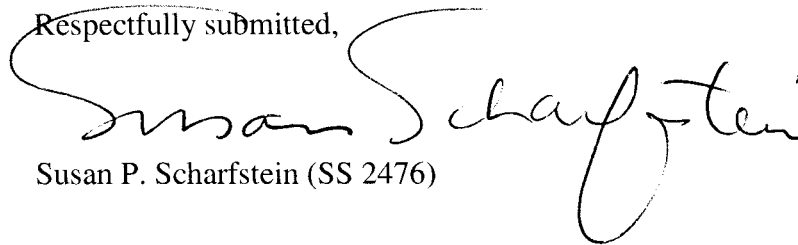
Dear Judge Pauley:

I am an attorney in the office of Michael A. Cardozo, Corporation Counsel of the City of New York, counsel for defendants City of New York, the New York City Police Department, the Kings County District Attorney's Office, Charles Hynes, the Queens County District Attorney's Office, and Richard Brown in the above-referenced action alleging, inter alia, violations of plaintiff's rights pursuant to 42 U.S.C. § 1983.

Late yesterday, I received notice by facsimile from counsel for plaintiff that he intends to discontinue this action as set forth in the annexed correspondence and stipulation that he has forwarded for my signature. As the Court is aware, a schedule for submission of defendants' proposed motion to dismiss pursuant to Federal Rules 12(b)(1) and 12(b)(6) was set by the Court at the conference held on May 2, 2008. Based on that schedule, defendants' moving papers were to be served on or before June 9, 2008, and the motion was to be heard at oral argument on August 1, 2008, at 10:30 a.m. As it now appears that motion practice will be unnecessary, we ask that the Court suspend the current schedule so that the parties can arrange for a fully-executed and original stipulation of dismissal and discontinuance to be submitted and approved by the Court.

Thank you for your consideration herein.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Susan Scharfstein". The signature is fluid and cursive, with a large loop at the end of the last name.

Susan P. Scharfstein (SS 2476)

cc: Peter Pearson Traub, Jr., Esq.
Law Offices of Peter P. Traub
107 Grand Street, 4th Floor
New York, NY 10013
(by hand)